

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION AND
CULTURAL AFFAIRS**

July 2011

STAFF:

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
CAROLYN RUSSO, LEGISLATIVE ANALYST
JILL IPPOLITI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

MEMBERS:

SEN. BRIAN D. LANGLEY, CHAIR
SEN. GARRETT PAUL MASON
SEN. JUSTIN L. ALFOND

REP. DAVID E. RICHARDSON, CHAIR
REP. PETER E. EDGECOMB
REP. HOWARD E. MCFADDEN
REP. PETER B. JOHNSON
REP. JOYCE A. MAKER
REP. MICHAEL D. MCCLELLAN
REP. RICHARD V. WAGNER
REP. MARY PENNELL NELSON
REP. STEPHEN LOVEJOY
REP. HELEN RANKIN
REP. MADONNA M. SOCTOMAH

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Education and Cultural Affairs

2. It provides that a school board must approve the acceptance of private gifts, grants and donations received to offset the costs of developing and implementing an innovation plan.
3. It adds provisions to the bill pertaining to the collective bargaining rights of public school employees when an innovative school, zone or district is established under an innovation plan. The amendment provides for the continuation and assignment of collective bargaining agreements, the continuation of continuing contract rights for teachers and the continued recognition of bargaining agents that represent a collective bargaining unit of public employees employed by a public school that establishes an innovative school, zone or district.
4. It provides for the establishment of the Fund for the Efficient Delivery of Educational Services within the Department of Education. The fund permits the department to provide grants to school administrative units, municipalities and counties or a combination of two or more of these entities to implement plans for local and regional initiatives such as innovative public schools, zones or districts in order to improve educational opportunity and student achievement through the efficient delivery of educational services.
5. It also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2011, chapter 446 provides for the creation, submission, review and approval of innovation plans to establish innovative public school zones and innovative public school districts. An innovative public school zone and an innovative public school district must demonstrate a system for accountability for student achievement that exceeds, but is not in conflict with, the State's accountability standards and the State's assessment system. The law allows one or more public schools within a school administrative unit to initiate the creation of an innovation plan for submission to its school board. The law also permits a school board to initiate and collaborate with one or more of the public schools it operates to create an innovation plan. The law provides that a school board may obtain waivers of laws, rules and local policy requirements from the Commissioner of Education that are considered necessary for an innovative public school zone or district to implement an innovation plan. The law further provides for the continuation and assignment of collective bargaining agreements, the continuation of continuing contract rights for teachers and the continued recognition of bargaining agents that represent a collective bargaining unit of public employees employed by a public school that establishes an innovative school, zone or district.

The law also provides for the establishment of the Fund for the Efficient Delivery of Educational Services within the Department of Education. The fund permits the department to provide grants to school administrative units, municipalities and counties or a combination of 2 or more of these entities to implement plans for local and regional initiatives such as innovative public schools, zones or districts in order to improve educational opportunity and student achievement through the efficient delivery of educational services.

LD 1493

An Act Regarding the Powers of the Director of the Maine State Museum Commission

PUBLIC 151

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP	

This bill provides statutory authority for the Director of the Maine State Museum Commission to actively solicit the gifts, grants, donations, bequests, endowments and membership fees currently authorized for acceptance by the director.

Enacted Law Summary

Public Law 2011, chapter 151 provides statutory authority for the Director of the Maine State Museum Commission

Joint Standing Committee on Education and Cultural Affairs

to actively solicit the gifts, grants, donations, bequests, endowments and membership fees currently authorized for acceptance by the director.

LD 1494 An Act To Support Maine State Museum Accreditation

PUBLIC 152

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP	

This bill provides a clear statement by the Legislature concerning standards the Maine State Museum must follow and the importance of its collections in order to address new accreditation requirements imposed by the American Association of Museums, which provides accreditation for the Maine State Museum.

Enacted Law Summary

Public Law 2011, chapter 152 provides a clear statement by the Legislature concerning standards the Maine State Museum must follow and the importance of its collections in order to address new accreditation requirements imposed by the American Association of Museums, which provides accreditation for the Maine State Museum.

LD 1503 An Act To Promote School Attendance and Increase School Achievement

Carried Over

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND		

This bill implements the recommendations of the stakeholder group established by the Commissioner of Education pursuant to Public Law 2009, chapter 626. The charge provided to the stakeholder group was to develop methodologies and recommendations relating to increasing high school graduation rates and to address other policy issues pertaining to school expulsion, suspension, zero-tolerance practices and truancy in the State. The bill accomplishes the following.

1. It requires the Department of Education to obtain more accurate and complete data in calculating high school graduation rates. In addition to calculating the four-year adjusted cohort graduation rate required by the Federal Government, the department is required to collect and record graduation rates for a five-year cohort and a six-year cohort and also use other descriptors of academic success for school-age students on a statewide aggregate basis, including the Department of Education diploma, high school equivalency diploma obtained through adult education and the general equivalency diploma.
2. It changes the law regarding compulsory school age by reducing the age when a child must start school from seven to six years of age and by increasing the age threshold under which a child who has not attained high school graduation or equivalency is expected to attend secondary school from 17 to 20 years of age. The bill also amends the exceptions to the compulsory school age requirements.
3. It amends the truancy laws by striking all references to "habitual" truancy. It changes the provisions for determining truancy and removes the requirement that local law enforcement be notified of a truant student. It describes response to intervention teams for schools and their duties, including assessing situations of student truancy and developing and helping implement intervention plans for truant students.